

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 20, 1966
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen LaRue, Long, White, Mayor Palmer
Absent: Councilman Shanks

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by REVEREND THOMAS WHITCOMB, Trinity United Church of Christ.

Councilman LaRue moved that MR. ROD KENNEDY be heard. The motion was seconded by Councilman White. Roll call showed a unanimous vote.

MR. KENNEDY, President of the Aqua Festival, asked the Council's hospitality in inviting the 55 Mayors in the Central Texas area to a luncheon on the first Tuesday of the Aqua Festival. MR. KENNEDY stated last year \$500.00 was appropriated and the unused amount was returned. He believed \$500.00 would be adequate for this year's event. Council LaRue moved to extend the invitation to the 55 Mayors and appropriate the required amount of money to take care of the event. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

Mayor Palmer stated the Central Texas area is the pearl of the entire State of Texas, and everything should be done to promote good relationship with all of the communities in this area. Mr. Kennedy introduced MR. KEN BROWN, Commodore and announced that COLONEL VANCE MURPHY would be Master of Ceremonies again this year.

The Council greeted and welcomed the 12th Grade Civics Class of Johnston High School. Along with recognizing students, Mayor Palmer read a letter entered in a contest that MR. DICK PETTWAY and FRIENDS OF THE LIBRARY sponsored, on "What My Library Means to Me". The letter was written by Patricia Pettaway, 6th Grade student at L. L. Campbell Elementary School.

Pursuant to published notice thereof the following zoning applications were publicly heard:

MRS. S. J. TREADAWAY	2912 Red River Street	From "O" Office
By Robert C. Sneed	829-831 East 30th Street	To "LR" Local Retail
		RECOMMENDED by the
		Planning Commission

Councilman White moved that the change to "LR" Local Retail be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
 Noes: None
 Absent: Councilman Shanks

The Mayor announced that the change had been granted to "LR" Local Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

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W. C. ALFF	1901-1905 East 19th Street	From "C-1" Commercial
	1813-1823 Chicon Street	To "C-2" Commercial
		RECOMMENDED by the
		Planning Commission

Councilman LaRue moved that the change to "C-2" Commercial be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
 Noes: None
 Absent: Councilman Shanks

The Mayor announced that the change had been granted to "C-2" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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HUMBLE OIL COMPANY	517-521 West 29th Street	From "C-1" Commercial
By Gary Moore	2849-2855 Guadalupe Street	3rd Height & Area
		To "C-2" Commercial
		3rd Height & Area
		RECOMMENDED by the
		Planning Commission

Councilman LaRue moved that the change to "C-2" Commercial 3rd Height and Area be granted. The motion, seconded by Councilman White, carried by the following vote:

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WATT SCHIEFFER
By Edward Horne

Tract 1
4715-4817 Manor Road

From "A" Residence
To "GR" General Retail
RECOMMENDED by the
Planning Commission
except for the north
50 feet of tract which
is recommended "B"
Residence

Tract 2
4705-4713 Manor Road
Rear of 4715-4817 Manor
Road

From "A" Residence
To "B" Residence
RECOMMENDED by the
Planning Commission

Mr. Edward Horne stated the recommendation of the Planning Commission was acceptable to him. Councilman White moved that the change of zoning be granted as recommended by the Planning Commission. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

The Mayor announced the change had been granted to "GR" General Retail for Tract 1 except for the north 50 feet which was granted "B" Residence and to "B" Residence for Tract 2, and the City Attorney was instructed to draw the necessary ordinance to cover.

THOMAS W. MALONE
H. H. BARTTING
GEORGE M. HAUSMAN
ALEX LA FUENTE
JOHN D. CRAVATT
By Ed Padgett

1212-1214 East 51st Street
1210 East 51st Street
1208 East 51st Street
1206 East 51st Street
1216-1218 East 51st Street

From "A" Residence 1st
Height & Area
To "BB" Residence 2nd
Height & Area
NOT Recommended by the
Planning Commission
RECOMMENDED "BB" Resi-
dence 1st Height & Area

MR. ED PADGETT stated the recommendation of the Planning Commission was acceptable to the applicants. Councilman LaRue moved that the change of zoning be granted as recommended by the Planning Commission. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

The Mayor announced that the change had been granted to "BB" Residence 1st Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

J. D. CHASTAIN, ET AL 6604-6608 Grover Avenue
1201 Ruth Avenue

From "B" Residence
To "A" Residence
RECOMMENDED by the
Planning Commission

Mr. Chastain explained in 1960 a resident had asked for "B" Residence zoning to permit her to operate a beauty shop in her home. The owner filed a letter saying if she ever sold the property there would be a request for it to go back to "A" Residential. She sold to out of town people, who attempted to obtain a "C-1" Commercial zoning for a drive-in, but withdrew their application. Since the person who had asked for the change to "B" Residence had sold and moved, the neighborhood would like for the property to be returned to "A" Residence as promised, and that it now be kept an "A" Residential neighborhood. MRS. HENRY WALLACE stated the purchasers (relatives of the operator of the beauty shop) now want to build an apartment house. It was noted the present zoning ordinance permits a beauty shop in "A" Residential with certain requirements. The only opposition to the change of zoning was a letter from the owners who live in Houston. Councilman Long moved that the Council uphold the Planning Commission's recommendation and grant the zoning change. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

The Mayor announced that the change had been granted to "A" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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BOBBY BURNETTE
ET AL
By Richard Baker

Tract 1
Rear of 3706-3714 North
Interregional Highway
1015-1017 East 38th Street

From "C-1" Commercial
5th Height & Area
To "C-1" Commercial
4th Height & Area

Tract 2
1011-1013 East 38th Street

From "C" Commercial
5th Height & Area
To "C" Commercial
4th Height & Area

Tract 3
3701-3705 Harmon Avenue
3503-3505 Harmon Avenue
Additional Area:
3707-3711 Harmon Avenue
3507-Harmon Avenue
3501 Harmon Avenue
1000-1012 Concordia
Avenue

From "A" Residence 2nd
& 5th Height & Area
and "C" Commercial
5th Height & Area
To "C" Commercial
2nd Height & Area
RECOMMENDED by the
Planning Commission

MR. H. H. CHAPMAN, 1009 East 38th Street, had no objections to the change of zoning of the property, but did not want his property to be included. It was explained his property tax-wise would take the value of the surrounding property. Mr. Chapman stated there were other advantages of set-backs and parking adjacent to residential property. The Chief of Plan Administration explained the set-backs and zoning technicalities, stating a building could be permitted on the

property line. After discussion, Councilman White moved that the Council sustain the Planning Commission's recommendation and grant the requested zoning. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
 Noes: None
 Absent: Councilman Shanks

The Mayor announced that the change had been granted to "C-1" Commercial 4th Height and Area for Tract 1, to "C" Commercial 4th Height and Area for Tract 2, and to "C" Commercial 2nd Height and Area for Tract 3 and Additional Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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H. L. KNOP & CO., INC. 2620-2704 Nueces Street
 and HARRY E. MAYO
 By Chris Crow

From "B" Residence 2nd
 Height & Area
 To "C" Commercial 3rd
 Height & Area
 NOT Recommended by the
 Planning Commission

Mr. Bob Williams, new owner, asked for "C" Commercial 3rd Height and Area to permit design of a better building, to provide for covered parking areas, and to raise the height of the building to provide recreation in the building. The change of zoning would not permit greater density. The Chief of Planning Section pointed out this property may be in the planned expressway. After discussion, Councilman Long moved that the change to "C" Commercial 3rd Height and Area be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
 Noes: None
 Absent: Councilman Shanks

The Mayor announced that the change had been granted to "C" Commercial 3rd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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R. L. STRUHALL, JR. 1905-1907 Fairlawn Lane

From "A" Residence
 To "B" Residence
 NOT Recommended by the
 Planning Commission

Mr. Struhall wanted to build apartments on his property five years ago, but everything surrounding the land was "A" Residential. Since then the area has developed into a multi-unit apartment area or "GR" General Retail uses. Apartments are already on Mariposa and Fairlawn. After discussion, Councilman Long moved that the requested zoning be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
 Noes: None
 Absent: Councilman Shanks

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The Mayor announced that the change had been granted to "B" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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J. L. TEAGUE	100-104 East 45th Street	From "A" Residence 1st
By Frank Montgomery	4501 Avenue E (Speedway)	Height & Area
		To "B" Residence 2nd
		Height & Area
		NOT Recommended by the
		Planning Commission

MR. FRANK MONTGOMERY referred to the growth of Austin, and the projects which would displace people for whom housing would have to be found and it was time to begin to prepare for the housing of these people now. This location is suitable for apartment houses, and is just across the street from a large development of apartment houses on Speedway. His client wants to build only eight small efficiency apartments to rent for \$69.50 - \$75.00 monthly, furnished. Ten or possibly eleven parking spaces would be provided, since the drive on 45th Street has been eliminated. Mr. Montgomery's client had agreed to dedicate the necessary 5' for right-of-way on Speedway. The Mayor suggested that it would be well to have the letter of dedication in by next week. Councilman LaRue moved that the zoning be granted to "B" Residence 2nd Height and Area, with the provision the letter dedicating the right-of-way is filed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
 Noes: None
 Absent: Councilman Shanks

The Mayor announced that the change had been granted to "B" Residence 2nd Height and Area, with the provision the letter dedicating the right-of-way is filed, and the City Attorney was instructed to draw the necessary ordinance to cover.

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JOHN REYNOLDS	4907-5033 New Manor Road	From "GR" General Retail
By Bryant-Curington,	2901-2907 East 51st Street	& "BB" Residence
Inc.	5002-5008 Cottonwood Circle	1st Height & Area
		To "GR" General Retail
		2nd Height & Area
		NOT Recommended by the
		Planning Commission

MR. ROBERT SNEED represented the applicants, stating two-thirds of the property was zoned "GR" General Retail 1st Height and Area, and one-third was zoned "BB" Residence 1st Height & Area. They are requesting "GR" General Retail 2nd Height and Area for the entire tract. The corner will be developed for business purposes, and the rest will be multiple dwellings. Mr. Sneed stated he had filed a letter limiting the number of apartments to 75, and this letter was made a part of the record (in the Planning Commission) and the restrictive covenant runs in favor of the City of Austin. The off-street parking was

figured two for each of the 75 units. The Chief of Plan Administration called attention to the set-backs, as 2nd Height and Area calls for only 10', and these two major streets would require 25' set-back. Mr. Sneed stated he would recommend this. The Mayor asked Mr. Sneed if he would file with the Legal Department what he has set out in this covenant, and that his clients would adhere to the 25' set-back on the two streets instead of the 10' as provided in 2nd Height and Area. Mr. Sneed stated that would be his recommendation to the purchasers, Nash Phillips and Clyde Copus. The Mayor asked if this could be brought in by next Thursday. Councilman LaRue moved that the zoning be changed to "GR" General Retail 2nd Height and Area with the restrictive covenants. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
 Noes: None
 Absent: Councilman Shanks

The Mayor announced that the change had been granted to "GR" General Retail 2nd Height and Area with the restrictive covenants, and the City Attorney was instructed to draw the necessary ordinance to cover.

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R. L. ROBERTS	3507 North Interregional Highway	From "C-1" Commercial 5th Height & Area To "C-2" Commercial 5th Height & Area RECOMMENDED by the Planning Commission
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Councilman White moved that the change to "C-2" Commercial 5th Height and Area be granted. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
 Noes: None
 Absent: Councilman Shanks

The Mayor announced that the change had been granted to "C-2" Commercial 5th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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CATHERINE NEAL, ET AL By Jack Ritter, Jr.	2407-2415 East 19th Street 1814-1816 Singleton Avenue	From "C" Commercial To "C-1" Commercial NOT Recommended by the Planning Commission
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MR. JACK RITTER represented the applicant, stating the property was zoned "C" Commercial, and had been used as a grocery store for years. MR. BENNIE STARK owns a grocery business in the area in the Winn Project to be taken by the University, and is looking for a new location for a grocery store. He approached the applicant in regard to making this location his site. The intent is not to put in a drive-in grocery store. There will be no difference in the grocery

store construction whether it is "C" Commercial or "C-1" Commercial. Mr. Stark sells beer and wine to go now at his grocery store just a few blocks from this location. Mr. Stark plans also to include a washateria and a beauty parlor on the site. The Chief of Plan Administration stated application for the adjoining lot will come before the Council on May 19th. Mr. Ritter asked that no decision be made this morning until the other zoning case is before the Council. Councilman White asked if he were going to ask for "C-1" Commercial on this lot and "C" Commercial on the other. Mr. Ritter stated both lots need "C-1" Commercial. Opposition was expressed by MISS CORDIA MAYS stating they filed a petition with 75 names protesting this zoning to "C-1" Commercial but not a grocery store, and the neighbors would like to keep the zoning "C" Commercial. Mayor Palmer announced it was customary whenever an application came before the Council without a favorable recommendation, in order to give the applicants and opponents every consideration, the Council postponed decisions until all members of the Council were present. He said the Council would not act on this application until the other request comes in and will be heard on May 19th.

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NASH PHILLIPS &
CLYDE COPUS, JR.
By Bryant-Curington,
Inc.

Tract 1
4809-5009 Manchaca Road

From "A" Residence
To "B" Residence

Tract 2
5005-5007 Manchaca Road

From "A" Residence
To "O" Office

Tract 3
4911-5003 Manchaca Road

From "A" Residence
1st Height & Area
To "LR" Local Retail
6th Height & Area
NOT Recommended by the
Planning Commission

MR. ROBERT SNEED, represented the applicants, appealing from the adverse split recommendation of the Planning Commission, based on inadequate width on Manchaca Road. Referring to a letter he filed with the Planning Commission on April 5th, Mr. Sneed restated their willingness to tender whatever is needed up to 25' for widening Manchaca Road. He described the area which had a 100' L.C.R.A. easement, a flood plain of Williamson Creek on which no building could be erected, and the present 80' right-of-way which will be extended to 120'. Mr. Sneed outlined the newest type of development as being a "Planned Community", including multiple housing, single family dwellings and personal types of services in "O" Office and "LR" Local Retail zones. The applicants desire to build a cluster type of apartment and add services usable by the community. He said this was proper zoning and would take care of land that could not be used. To protect the community from the high density the zoning would permit (246 apartments) the applicants propose to record a restrictive covenant running in favor of the city whereby no more than 132 units could be built upon this nine plus acre tract; and that the most northeasterly 50' (commencing 134.8' from Manchaca Road) would be restricted to use as a green belt area, separating the subdivision back from Lansing Drive by a 50' planter strip all the way down the L.C.R.A. easement. The next 50' could be used only for parking. This would also permit an additional green belt and play area along Williamson Creek. Opposition was expressed by MR. JIM OVERCASH, 4806 Lansing, to two and three story apartment houses. He indicated no need for additional services, as there were such service centers already available. There are no sidewalks and the school children by necessity walk on

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the residents' property. There would be no road through the area. He feared students would rent these apartments to get beyond University control. He also pointed out traffic problems, and did not believe the Council would find this development to be beneficial to the city. MR. W. R. GOULD stated commercial development in this area had been held up previously, and his belief was ownership of property created pride in the owner, whereas apartment dwellers have no respect for property. Similar developments as this proposed, have brought complaints from the neighborhoods. The property owners on the west side of Manchaca Road agreed on these points brought out in opposition. Councilman Long read the statement by Mr. Barrow that apartment development was not a proper use of this land. MR. MARVIN WILLIAMS opposed in that this was a traffic hazard, and a change in character of the neighborhood. The developers could get as many houses as they intended when they bought the area, as the same barriers were on the land now as then. He foresaw a depreciation in values of their property, as when the first apartment comes in the neighborhood starts going down, and they were not ready for that. Councilman White suggested that the Council make an on-site inspection of the area. MAYOR PALMER announced this application would be postponed possibly for two weeks until all members of the Council were present.

MR. FRANK MONTGOMERY presented a letter from MR. WALTER KASSUBA, as follows:

"April 20, 1966

"To: The Honorable Members
Austin City Council
Austin, Texas

"Mention has been made through various media of the press that there is a possibility that the City of Austin might consider leasing certain portions of city-owned property on the south banks of Town Lake near Pleasant Valley Road.

"Mr. Walter J. Kassuba of Palm Beach, Florida, has authorized me as his agent to request the City of Austin to give him an opportunity to submit a bid for the leasing of approximately 12 acres of land which adjoins his property to the east on Town Lake front, if and when the City decides to offer the property for lease.

"Mr. Kassuba is aware that the property cannot be developed, but he would like to beautify the present shoreline in this area with plantings, landscaping and possibly picnic tables, or other recreational equipment.

"Mr. Kassuba is also aware that other interests are considering an amusement-type development in the area, and he wants me to emphasize that he is not opposed to this development. He would however, desire to preserve the aforesaid 12 acres for free public recreational use.

"Yours very truly,
s/ Frank E. Montgomery
Frank E. Montgomery
Agent for Walter J. Kassuba"

The City Manager showed the site on an aerial map. Mr. Montgomery said Mr. Kassuba was aware of the proposed amusement type development in the area, and

he had no opposition to that endeavor but is interested. They were not interested in the island, but were interested in the peninsula area, and the frontage by their apartments. The City Manager stated the amusement development might need a sky ride, and would need either the island or peninsula for piers. Mr. Montgomery stated if the city is considering leasing this 12 acres, Mr. Kassuba wanted to make a proposition. The letter was filed with the City Clerk.

Councilman Long moved that the Council recess. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

RECESSED MEETING

2:00 P.M.

At 2:00 P.M., the Council resumed its business.

Councilman White moved that the Minutes of the Meeting of April 14, 1966 be approved. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: NORTH 38 FEET OF LOT 4, BLOCK 2 OF THE UNIVERSITY PARK ADDITION, LOCALLY KNOWN AS 3507 NORTH INTERREGIONAL HIGHWAY, FROM "C-1" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH WEST GATE SQUARE, INCORPORATED, FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman LaRue moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

The ordinance was read the second time and Councilman LaRue moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

The ordinance was read the third time and Councilman LaRue moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for drainage purposes, traversing Lot 1, Ma-Son Place, a subdivision of a portion of Outlot 56, Division A, of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas; a map or plat of said Ma-Son Place being of record in Book 23, at Page 7 of the Plat Records of Travis County, Texas; and,

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WHEREAS, the owner of the above described property has requested the City Council of the City of Austin to release the hereinabove described easement; and,

WHEREAS, the City Council has determined that the hereinabove described easement is not now needed and will not be required in the future; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described easement, to-wit:

All that certain drainage easement which traverses Lot 1, Ma-Son Place, a subdivision of a portion of Outlot 56, Division A, of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas; a map or plat of said Ma-Son Place being of record in Book 23, at Page 7, of the Plat Records of Travis County, Texas.

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

The Council had before it the recommendation for award of Contract X-105 on Closed Feedwater Heaters for the Decker Creek Power Station. The City Manager distributed copies of the tabulation of bids and recommendation of the Consulting Engineers, as follows:

"April 18, 1966
File: M-50-DVB

"Mr. W. T. Williams, Jr.,
City Manager
City of Austin
Post Office Box 1088
Austin, Texas 78767

"CLOSED FEEDWATER HEATERS, CONTRACT NO. X-105
DECKER CREEK POWER STATION, UNIT NO. ONE
OUR JOB CA-0003

"Dear Mr. Williams:

"Brown & Root, Inc. has examined the bids on subject contract opened by you at 10:00 a.m. in open Council Meeting on April 7, 1966.

"Bids were submitted by:

Baldwin-Lima-Hamilton Corp.
Struthers Wells Corp.
Southwestern Engineering Co.

"Westinghouse Electric Corp.
 Worthington Corp.
 Yuba Heat Transfer Corp.

"A bid tabulation sheet is attached for your reference and file.

"Exceptions or comments requiring clarification were taken by the various bidders as noted below:

	<u>B-L-H</u>	<u>Stru. Wells</u>	<u>SWECO</u>	<u>West.</u>	<u>Yuba</u>	<u>Worth.</u>
1. Price Adjustment, B-12				x		
2. Terms of Payment, B-13			x	x		
3. Warranty, B-15			x	x		
4. Taxes, B-18				x		
5. Demurrage, B-23				x		x
6. Penalty Clause, B-25			x	x		x
7. Drawing Schedule, B-26				x		x
8. Delivery Schedule, B-27				x		
9. Performance Penalty, F-3-11				x		
10. Engineering Comments	x	x	x	x	x	x

x Indicates exception taken

"The exceptions taken by the apparent low Bidder, Southwestern Engineering Co. which are not in accordance with nor do they meet the intent of the specifications, are as follows:

"1. Terms of Payment, Paragraph B-13

The Bidder stipulated he must have an option if he accepted the Penalty Clause, as modified below, to make early delivery (January instead of June) and the Purchaser shall make the 85% payment based on early delivery. This means the City would pay additional interest on this payment for that period of time between the early delivery date and the specified delivery date. In addition, the delivery date requested would impose an inconvenience on the Purchaser for obtaining proper storage facilities for the Heaters.

"2. Warranty, Paragraph B-15

The Bidder stipulated that he would have to limit the time period under warranty to two years after shipment rather than the specified three years. This means that in conjunction with the early delivery option requested in Item 1 above, the Warranty Period would expire prior to plant start-up.

"3. Penalty Clause, Paragraph B-25

The Bidder stated that he would accept the Penalty Clause only if modified as follows:

- a. The Purchaser must allow early delivery and payment as outlined in Item 1.
- b. The maximum penalty the Bidder would accept would be limited to 5%

of the Contract Price and further, that such penalty would be limited to a rate not to exceed 1/4% of the 5% maximum for each calendar week.

"This in effect means that the Bidder would be liable for a maximum penalty of \$13,375 and that he could be twenty (20) weeks late on delivery before this figure was reached.

"Due to above deviations from the specifications, it is recommended that the bid of Southwestern Engineering Co. be rejected from further consideration.

"All of the comments pertaining to the Engineering portion of the specifications have been resolved and all Bids were found to meet the intent of the Engineering Section of the specifications.

"In review of the bids, the base bid (Bidding Unit No. One) will require an estimated additional cost of \$10,378 in pipe, valves, fittings, insulation, etc. more than the Bidding Unit No. One Alternate in final plant installation. Since the difference as Bid, for this alternate, is less than the estimated additional cost, Brown & Root, Inc. recommends that only Bidding Unit No. One Alternate be considered in the award of this contract.

"With respect of Bidding Unit No. Two, there was some question at the time of preparing specifications as to the possibility of savings being made by dividing the CFWH-16 into two (2) heaters rather than a single unit. Since this was not the case as Bid, further consideration of Bidding Unit No. Two is not required.

"Therefore, it is recommended that on the basis of the best and lowest bid in accordance with the specifications, firm price and satisfactory delivery that a contract be awarded to Yuba Heat Transfer Corporation for Contract X-105, Bidding Unit No. I (Alternate) for the lump sum of \$291,712.

"Should you have some question on this recommendation, please let us know.

"Yours very truly,
BROWN & ROOT, INC.
s/ D. V. Boyd
D. V. Boyd

"APPROVED: s/ D. C. Kinney
D. C. Kinney,
Director of Electric Utilities"

MAYOR PALMER noted this was the recommendation of the consulting engineers, the Director of Electric Utilities and the City Manager. After discussion, Councilman White moved that the bid of YUBA HEAT TRANSFER CORP. be accepted as recommended by the consulting engineers, Director of Electric Utilities and the City Manager. (Unit No. 1 Alternate, \$291,712) The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, White, Mayor Palmer
Noes: Councilman Long
Absent: Councilman Shanks

April 20, 1966

The Council had before it the awarding of Contract X-107 Boiler Feed Pumps for the Decker Creek Power Station. The City Manager submitted the following:

"April 18, 1966
File: M-48-WGS

"Mr. W. T. Williams, Jr., City Manager
City of Austin
Post Office Box 1088
Austin, Texas 78767

"BOILER FEED PUMPS - CONTRACT X-107
DECKER CREEK POWER STATION
UNIT NUMBER ONE
OUR JOB CA-0003

"Dear Mr. Williams:

"Brown & Root, Inc. has examined the bids opened by you at 10:00 a.m. April 7, 1966, in open council meeting for the Decker Creek Power Station Unit Number One Boiler Feed Pumps, Contract No. X-107.

"Bids were submitted by:

"Allis-Chalmers Manufacturing Co.
Byron Jackson Pumps, Inc.
Pacific Pumps, Inc.
Worthington Corporation

"Ingersoll-Rand Company was invited to bid, but asked to be excused because of factory loading.

"A combined bid tabulation and evaluation schedule of the offerings submitted is attached for your review and records. All bids were found to be in accordance with the specifications with all exceptions and clarifications resolved.

"In evaluating the bids, the best buy was determined on highest efficiency versus lowest initial cost in accordance with Paragraph B-8 of the Specifications.

"On the bases of our review, full compliance with the intent of the specifications, the best and lowest evaluated bid, firm price and delivery, it is recommended that Contract No. X-107 for Bidding Unit No. IV be awarded to Byron-Jackson Pumps, Inc. for the lump sum of \$240,500.

"Should you have any questions regarding our evaluation, please let us know.

"Yours very truly,
BROWN & ROOT, INC.
s/ D. V. Boyd, P.E.
D.V. Boyd, P.E.

"APPROVED: s/ D. C. Kinney
D. C. Kinney, Director of Electric Utilities
City of Austin, Texas"

"CITY OF AUSTIN, TEXASDECKER CREEK POWER STATION - UNIT NUMBER ONECONTRACT NO. X-107 - BOILER FEED PUMPSBID TABULATION AND EVALUATION"A. DEFINITIONS:

In order to shorten the tabulation and evaluation, the following terms are utilized and defined as follows:

"1. Companies:

A-C Allis-Chalmers Manufacturing Co.
B.J. Byron Jackson Pumps, Inc.
P.P. Pacific Pumps, Inc.
Worth. Worthington Corporation

"2. Bidding Units:"BIDDING UNIT NO. I

All equipment, materials, special tools, accessories, and inspection during the erection, instruction and commercial start-up of One (1) Turbine shaft-driven full capacity Main Boiler Feed Pump and One (1) Start-up Boiler Feed Pump complete with Motor Drive as specified.

"BIDDING UNIT NO. II

All Spare Parts including, but not limited to, one (1) complete spare inner pumping assembly for the Main Boiler Feed Pump (BFP-11) as listed and called for in the specifications.

"BIDDING UNIT NO. III

All Spare Parts including, but not limited to, one (1) complete spare inner pumping assembly for the Start-up Boiler Feed Pump (BFP-12) as listed and called for in the specifications.

"BIDDING UNIT NO. IV

For furnishing Bidding Units No. I, No. II, and No. III of the proposal.

"BIDDING UNIT NO. V

For omitting the Start-up Boiler Feed Pump Motor Drive only as specified in Bidding Unit No. I.

"BIDDING UNIT NO. VI

Per diem rate for Field Representative, after all contractual

obligations have been met, such rate to include all travel, labor, living, and miscellaneous expenses.

"B. BID TABULATION:

	<u>A-C</u>	<u>B.J.</u>	<u>P.P.</u>	<u>Worth.</u>
Bid Bond	Yes	Yes	Yes	Yes
Bidding Unit No. I	\$134,310	\$178,600	\$140,164	\$189,150
Bidding Unit No. II	29,300	45,250	21,645	38,320
Bidding Unit No. III	16,800	16,650	12,568	20,280
Bidding Unit No. IV	174,300	240,500	174,377	247,750
Bidding Unit No. V	21,926	22,200	20,320	17,100
Bidding Unit No. VI	\$100/day /\$200 trip	\$100/day	\$115/day	\$125/day

"C. BID EVALUATION:

The following evaluation points, comments, and considerations apply to the Main Boiler Feed Pump offerings, in accordance with paragraph B-8 of the Specifications:

"1. Main Boiler Feed Pump Differential Operating Costs:

"a. Cost of Operation per hp/10 yrs:

"(1) Maximum Pumping (Peaking) Condition:

$$700 \text{ hrs. @ } \$0.010/\text{KWH} \times 0.746 \frac{\text{kw}}{\text{hp}} \times 10 \text{ yrs.} = \$52.22/\text{hp-10 yrs.}$$

"(2) Design Pumping (MCR) Condition:

$$2,500 \text{ hrs. @ } \$0.010 \text{ KWH} \times 0.746 \frac{\text{kw}}{\text{hp}} \times 10 \text{ yrs.} = \$186.50/\text{hp-10 yrs.}$$

"(3) 75% Design Pumping Condition:

$$2,500 \text{ hrs. @ } \$0.00275/\text{KWH} \times 0.746 \frac{\text{kw}}{\text{hp}} \times 10 \text{ yrs.} = \$51.29/\text{hp-10 yrs.}$$

"(4) 50% Design Pumping Condition:

$$2,200 \text{ hrs. @ } \$0.00275/\text{KWH} \times 0.746 \frac{\text{kw}}{\text{hp}} \times 10 \text{ yrs.} = \$45.13/\text{hp-10 yrs.}$$

"(5) 25% Design Pumping Condition:

$$600 \text{ hrs. @ } \$0.00275/\text{KWH} \times 0.746 \frac{\text{kw}}{\text{hp}} \times 10 \text{ yrs.} = \$12.31/\text{hp-10 yrs.}$$

"b. Guaranteed Efficiency at Design Point (MCR):

Efficiency, MCR %	<u>A-C</u>	<u>B-J</u>	<u>P.P.</u>	<u>Worth.</u>
	81.25	85.0	82.0	80.5

"c. Worthington Proposal Eliminated:

"Due to lowest efficiency and highest price, the Worthington Proposal was not considered any further in this evaluation.

"d. Evaluated Differential Pumping Costs:

	<u>A-C</u>	<u>B.J.</u>	<u>P.P.</u>
"(1) <u>Peaking Condition:</u>			
Required HP	9,900*	9,000*	9,500*
Difference for Evaluation - HP	900	Base	500
10-Yr. Operating Cost Debit	\$46,998	\$ 0	\$26,110
Subtotal	\$46,998	\$ 0	\$26,110
"(2) <u>MCR Condition:</u>			
Required HP	7,955	7,500	7,860
Difference for Evaluation - HP	455	Base	360
10-Yr. Operating Cost Debit	\$84,858	\$ 0	\$67,140
Subtotal	\$84,858	\$ 0	\$67,140
"(3) <u>75% Condition:</u>			
Required HP	5,500	5,380	5,510
Difference for Evaluation - HP	120	Base	130
10-Yr. Operating Cost Debit	\$ 6,155	\$ 0	\$ 6,668
Subtotal	\$ 6,155	\$ 0	\$ 6,668
"(4) <u>50% Condition:</u>			
Required HP	4,150	4,020	4,200
Difference for Evaluation - HP	130	Base	180
10-Yr. Operating Cost Debit	\$ 5,867	\$ 0	\$ 8,123
Subtotal	\$ 5,867	\$ 0	\$ 8,123
"(5) <u>25% Condition:</u>			
Required HP	3,080	3,183	3,300
Difference for Evaluation - HP	Base	103	220
10-Yr. Operating Cost Debit	\$ 0	\$ 1,268	\$ 2,708
Subtotal	\$ 0	\$ 1,268	\$ 2,708
TOTAL 10-YR. OPERATING COST DEBIT	\$143,878	\$ 1,268	\$110,749
BASE 10-YR. OPERATING COST DEBIT	\$142,610	BASE	\$109,481

*These figures were read from horsepower curves submitted with each Bidder's proposal and appear to be within 1% of calculated accuracy. Horsepower figures for the other operating conditions were calculated and stated by each Bidder under Performance Data of Section F of the Proposal.

"e. Evaluated Initial Investment Costs:

	<u>A-C</u>	<u>B.J.</u>	<u>P.P.</u>
Base Bid, Bidding Unit IV:	\$174,300	\$240,500	\$174,377
Base Bid Difference:	\$ Base	\$ 66,200	\$ 77
Savings/HP Boiler Feed Pump	Base	-900 hp	-400 hp
Turbine Drive at Peaking Condition:(1)	Base	(\$12,168)	(\$ 5,536)

"Add for Lower-Speed Boiler Feed Pump Turbine Drive:(1)	4,300rpm Base	3,600rpm \$ 2,300	4,130rpm Base
Total Initial Investment Cost Differential:	Base	\$56,332	(\$5,459)
Amortized Cost of Initial Investment 25 yrs. @ 4% Interest:	Base	\$90,131	(\$8,734)
Total Interest on Original Investment Cost:	Base	\$33,799	(\$3,275)
Credit	(\$33,799)	Base	(\$37,074)

(1) As stated under Contract X-101, Turbine-Generator and Accessories, any adjustment to the price of the Boiler Feed Pump Turbine shall be made on the basis of Westinghouse List No. 1142, utilizing a price multiplier of 0.80.

Brake Horsepower Correction: \$13.84/BHP @ 4001 to 5000 rpm
13.52/BHP @ 3000 to 4000 rpm

Speed Correction : For reducing speed from
4000-5000 rpm range to
3000-4000 rpm range

ADD \$ 2,300

"f. Evaluation Summary:

	<u>A-C</u>	<u>B.J.</u>	<u>P.P.</u>
Base Bid, Bidding Unit IV	\$174,300	\$240,500	\$174,377
Operating Costs	142,610	Base	109,481
Interest on Investment Credit	(33,799)	Base	(37,074)
TOTAL	\$283,111	\$240,500	\$246,784

"D. GENERAL COMMENTS:

"1. It should be pointed out that the interest on the investment is calculated over 25 years, while the operating costs are based on 10 years. From the above evaluation, whereby the additional investment cost for the Byron-Jackson pump is very large, the operating efficiency of this pump is so much better than the other offerings that this additional investment cost is offset within ten (10) years of operation. Additional operation after the first ten (10) years will further warrant the purchase of the Byron-Jackson pump due to additional operational savings.

"2. With regard to the various bidding units, it is recommended that spare rotating elements for emergency purposes be purchased at this time for both pumping units.

On the above basis, Brown & Root, Inc. recommends that a contract be

awarded to Byron-Jackson Pumps, Inc. for Contract X-107, Bidding Unit No. IV, for the lump sum of \$240,500."

The City Manager explained the specifications provided for evaluation of the bids based on the amount of power it takes to run the pump. After discussion of the evaluation, Councilman White moved that the lowest and best bid as recommended by the consulting engineers, Brown and Root, the Director of Electric Utilities and the City Manager, be accepted and BYRON-JACKSON PUMPS, INC. be awarded Contract X-107 Boiler Feed Pumps in the sum of \$240,500. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, White, Mayor Palmer
Noes: Councilman Long
Absent: Councilman Shanks

The City Manager stated last week he discussed Mr. Steve Price's billboard placed on the outside of Disch Field for the Jazz Festival, and the Austin Braves' request that the sign be left up so they could advertise their coming events. Mr. Price had pointed out this was a public service operation. After brief discussion, Councilman LaRue moved that the billboard be left up for the conclusion of the baseball season, and then it will be reviewed by the Council. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

The City Manager had a notice that MR. JOHN FLEURY wants to appear before the Council on April 28th to protest the raising of pigeons in the city limits.

The City Manager said KHFI and the McCullough Corp., which manufactures outboard motors, request permission to stage a professional ski show on Town Lake on May 22nd, from 2:30 to 5:00 P.M., open and free to the public. There will be five boats. The City Manager noted this would be a commercial activity, and the Recreation Director recommended a \$35.00 service fee to help take care of the customary services of cleaning the area and maintaining the restroom. The Recreation Director said the city was retaining the concession, and this would be a professional show free of charge to the public. The City Manager reported that on the race of March 17th, the city kept the concession and listed the amount received. Discussion covered the concern of the Austin Ski and Boat Club over its future if it did not have concession rights, and the cleanup and custodial expenses of the city. The City Manager stated the Recreation Director's recommendation was that the Ski and Boat Club have the concession rights for the additional events, but pay the city \$35.00 for the expenses. Councilman Long suggested the club have the concession when their events are free; and when there is an admission, the city takes the concession. Much discussion was held on this policy. Mayor Palmer wanted to know how much of an attraction these events were to the public and asked that a good look be taken and get all the facts together. The City Manager stated the next event was on May 30th-31st; is free to the public and the club would pay the \$35.00 and keep the concession rights. Councilman LaRue moved that KHFI be charged the \$35.00; and they make no charge to the public, and the city keep the concession. The motion, seconded by Councilman White, carried by the following vote:

April 20, 1966

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
 Noes: None
 Absent: Councilman Shanks

The City Manager reported there were some zoning cases of long standing that could be deleted from the pending list, explaining the Council had instructed that the applicants be notified in writing that if the Council had not heard from them by February 21st, asking that their cases be continued they would be denied. All were notified and no response whatever was received. Councilman LaRue then moved that the following zoning requests be DENIED:

H. G. LINSOMB	2519-2707 Thornton Road	From "A" Residence To "C" Commercial
ROY F. BEAL	2317-2409 Thornton Road	From "A" Residence To "C" Commercial
MRS. GERTRUDE SWENSON & NITA BARRON By Frank Kerbo	3320-3330 Manor Road 2219-2227 Anchor Lane Additional Area 2109-2217 Anchor Lane 3222-3320 Manor Road	From "GR" General Retail & "A" Residence To "C" Commercial
AL SACHS	121-129 Krebs Lane 3801-3807 Wadford	From "A" Residence 1st Height & Area To "C" Commercial 2nd Height & Area

The motion, seconded by Councilman White, carried by the following vote:
 Ayes: Councilmen LaRue, Long, White, Mayor Palmer
 Noes: None
 Absent: Councilman Shanks

The Mayor announced that the zoning requests had been DENIED.

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JAMES E. HAWLEY	910-912 West Avenue 801-803 West 10th Street	From "B" Residence To "O" Office
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On the "additional area" included along with the James E. Hawley zoning application it was noted the City had purchased this "additional property"; and Councilman LaRue moved that this zoning case be withdrawn. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
 Noes: None
 Absent: Councilman Shanks

The Mayor announced that the "additional area" included along with the James E. Hawley zoning application had been withdrawn.

Councilman Long stated the Planning Commission was asked to bring in a recommendation on an area study in line with the THEO P. MEYER, JR. zoning at 4204-4212 Red River, from "A" Residence to "B" Residence. The Mayor asked if this study has not been made that an effort be made to get the study under way.

The Mayor suggested that all of the zoning ordinances that were up for final reading, be checked to see if all of the information necessary is in; and if not, that the applicants be asked to get it in. The City Attorney stated a check list on all of these pending cases would be submitted.

Councilman LaRue moved that ST. ELIAS ORTHODOX CHURCH be granted permission to have a parade of about 400 young people who are attending a Youth Conference, from the Commodore Perry Hotel up Brazos Street to 11th Street, and up 11th Street to their church, Sunday, June 12th at 10:00 A.M. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

After explanation by the City Attorney, Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found and does hereby find that the public necessity requires the acquisition and maintenance of a large recreational reserve to permit the creation of parks, playfields, camp grounds, golf courses, piers, wharves, together with the construction of a large water reservoir, and also to permit an addition to the electric light and generating system of the City of Austin, and the construction of certain roads and public ways; and,

WHEREAS, the City Council has found and determined that the public necessity requires the acquisition of the fee simple to the hereinafter described tract of land for such purposes; and,

WHEREAS, the City of Austin has negotiated with the owner of such land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner, and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

SEE EXHIBIT "A" ATTACHED

EXHIBIT "A"

A tract of land constituting 57.3 acres, more or less,
out of the Philip McElroy League in Travis County, Texas,
and being a part of that certain 138.3 acre tract designated

as Tract A in a plat filed in a partition deed dated July 25, 1931 by and between J. W. Swann, et al of record in Volume 472, Page 278 of the Travis County Deed Records; described by metes and bounds as follows, to-wit:

BEGINNING at the northwest corner of said Tract A;

THENCE, S 60° E 308.5 varas to a corner, being the most northerly north-east corner of the said Tract A;

THENCE, S 30° W 1070.5 varas to a corner in the Austin Hog Eye Road, and being a point in the north line of that 80 acre tract conveyed from A. T. Swahn and wife, Lillie Swahn, to F. C. Roan and wife, Lucille E. Roan, recorded in Volume 1969, Page 409, of the Travis County Deed Records;

THENCE, N 62-1/2° W along the south line of the Austin Hog Eye Road 308.5 varas, more or less, to a point in the west line of the said Tract A;

THENCE, with the west line of said Tract A, N 29° 51' E to the place of beginning.

SAVE AND EXCEPT therefrom 1 acre comprising the Austin Hog Eye Road as it traverses the south line of this tract.

Being all of the said 138.3 acre tract described as Tract A, in said partition deed above referred, save and except 80 acres thereof conveyed to F. C. Roan in Volume 1969, Page 409, of the Travis County Deed Records, and one acre comprising the Austin Hog Eye Road as aforesaid.

ALSO, SAVE AND EXCEPT that portion conveyed to Travis County, Texas, by right-of-way deed dated September 19, 1961, and recorded in Volume 2388, Page 42, Deed Records of Travis County, Texas.

(C. R. Nygren - Decker Creek Area)

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen LaRue, Long, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

After explanation by the City Attorney, Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found and does hereby find that the public necessity requires the acquisition and maintenance of a large recreational reserve to permit the creation of parks, playfields, camp grounds, golf courses, piers, wharves, together with the construction of a large water reservoir, and also to permit an addition to the electric light and generating system of the City of Austin, and the construction of certain roads and public ways; and,

WHEREAS, the City Council has found and determined that the public necessity requires the acquisition of the fee simple to the hereinafter described

tract of land for such purposes; and,

WHEREAS, the City of Austin has negotiated with the owner of such land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner, and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

SEE EXHIBIT "A" ATTACHED

EXHIBIT "A"

All that certain lot, tract or parcel of land situated, lying and being in the County of Travis, in the State of Texas, and more particularly described as follows:

All of Lot No. 5 and the southern part of Lot No. 6 being all of said Lot No. 6, not sold to us by J. G. Carlson, out of Tract No. 3 in the original partition of the Philip McElroy League, a plat of partition being of record in Travis County, Plat Book 1, page 15, the tract of land being conveyed, being subject to the 15 ft. right-of-way conveyed to the said J. G. Carlson and containing 82 acres of land, more or less.

The following described tracts or parcels of land lying and being situated in Travis County, Texas and being a part of the Philip McElroy Headright League of land and described as follows; to-wit: First, 72 acres of land more or less being Lot No. 7 and part of Lot No. 6 out of Tract No. 3 of the original partition of the said McElroy League according to the map or plat of said subdivision of record in Book No. 1, page 15, of the records of Travis County, Texas and described as follows, to-wit:

BEGINNING at the northeast corner of said Lot No. 7 on the east line of said Tract No. 3;

THENCE, with said east line S 30° W at 580 varas to a stake in said line the common corner of Lots Nos. 7 and 6 at 780 varas to a stake;

THENCE, N 60°W 500 varas to a stake in the west line of said Tract No. 3;

THENCE, with said west line N 30° E at 200 varas to a stake the common corner of Lots Nos. 6 and 7, at 780 varas to a stake, the northwest corner of said Lot No. 7;

THENCE, with the north line of said Lot No. 7, S 60° E 500 varas to the place of beginning.

Second Tract: That certain strip of land 15 feet in width off the east side of Lot No. 5 and part of Lot No. 6 out of Tract No. 3 of the original subdivision of said McElroy League, according to the subdivision thereof recorded in Plat Book No. 1, Page 15 of the Records of Travis County, Texas and said strip extending from the north line of the Hog Eye Road to the southwest corner of the 72 acre tract hereinbefore described.

Third Tract: 54 acres of land more or less and beginning at the south-east corner of the Joe Douglas (now T.G. Nots) 38 acre tract, from which a green elastic tree 4 inches in diameter bears S 75-1/2° E 4-1/2 varas, and another 5 inches in diameter bears 70° W 6 varas;

THENCE, N 60° W 291 varas to a stake on the west line of the tract known as the James G. Athisson 144 acre tract and the east line of the tract known as the Mary J. Moore 303 acre tract;

THENCE, with said line S 30° W 1064 varas to the middle of the Hog Eye Road;

THENCE, on a southeasterly direction in the middle of the said road to a stake in the east line of the Fuller wider subdivision survey of 193 acres of land and being the west line of John Johnson's tract;

THENCE, with said line N. 30° E 1054 varas to the place of beginning.

SAVE AND EXCEPT, HOWEVER, 154 acres conveyed to Elmer E. Nygren and C. R. Nygren by Evelyn Bergstrom by deed dated October 23, 1950, recorded in Volume 1067, page 439, Deed Records of Travis County, Texas.

AND ALSO EXCEPTED is that tract of land conveyed to Travis County, Texas by deed dated October 2, 1961, recorded in Volume 2388, Page 420, Deed Records of Travis County, Texas.

(Evelyn Bergstrom - Decker Creek Area)

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen LaRue, Long, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

After explanation by the City Attorney, Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found and does hereby find that the public necessity requires the acquisition and maintenance of a large recreational reserve to permit the creation of parks, playfields, camp grounds, golf courses, piers, wharves, together with the construction of a large water reservoir, and also to permit an addition to the electric light and generating system of the City of Austin, and the construction of certain roads and public ways; and,

WHEREAS, the City Council has found and determined that the public necessity requires the acquisition of the fee simple to the hereinafter described tract of land for such purposes; and,

WHEREAS, the City of Austin has negotiated with the owner of such land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner, and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

SEE EXHIBIT "A" ATTACHED

EXHIBIT "A"

Two (2) tracts of land out of the Phillip McElroy Headright League in Travis County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

TRACT NO. 1: 100 acres of land out of the Phillip McElroy Headright League, in Travis County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a stone mound the southeast corner of a 200 acre tract sold by J. W. Smith to Nels Torn by deed dated February 27, 1882;

THENCE, N 30° E with the east line of said 200 acre tract, 1024 vrs. to a stake;

THENCE, N 60° W 551 vrs. to a stake in the west line of said 200 acre tract;

THENCE, S 30° W with said west line 1024 vrs. to a stone mound, the southwest corner of said 200 acre tract;

THENCE, with said south line S 60° E 551 vrs. to the place of beginning, containing 100 acres of land, and being the same property conveyed to Theodore Westbrook by warranty deed from A. Anderson and wife, Lena Anderson, dated December 4, 1891, recorded in Volume 97, page 397 of the Travis County Deed Records;

TRACT NO. 2: 75 acres of land, more or less, being the southern three-fourths (3/4) of Lot No. 2 out of Tract No. 1 in the Original Partition of the Phillip McElroy Headright League, in Travis County, Texas, between the heirs of said McElroy and for further description of said 75 acres of land, more or less, reference is hereby made to the plat of said subdivision of said Tract No. 1 of record in Book 1, Page 15 of the Travis County Plat Records, and being the same property conveyed to Theodore Westbrook by warranty deed from Gustaf Emil Anderson, dated December 2, 1905, recorded in Volume 196, page 455, of the Travis County Deed Records;

LESS HOWEVER and SAVE AND EXCEPT the following described two (2) parcels of land numbered One (1) and Two (2) which are expressly excluded from the scope of this conveyance, to-wit:

PARCEL NO. 1: Being 7.8 acres of land out of the southwest corner of said 100 acre tract No. 1 above described, which 7.8 acres is described by metes and bounds as follows:

BEGINNING at the southwest corner of said 100 acre tract No. 1 above described;

THENCE, with its west line N 30° E 220 vrs. to a stake in said line;

THENCE, S 38° E 220 vrs. to a stake;

THENCE, S 27° W 111 vrs. to a stake in the south line of said 100 acre Tract No. 1;

THENCE, with said south line N 60° W 270 vrs. to the place of BEGINNING, containing 7.8 acres of land, and being the same land conveyed to August Anderson by warranty deed from Theodore Westbrook and wife, Minnie Westbrook dated December 14, 1893, recorded in Volume 118, page 509, of the Travis County Deed Records.

PARCEL NO. 2: Being 45 acres of land described by metes and bounds as follows:

BEGINNING for southeast corner of this tract at a fence post on west right-of-way line of the Manor-Webberville Road, which corner is about the southeast corner of 75 acres of land described as Tract No. 2 above;

THENCE, N 60° W with fence line 559.6 vrs. to a fence corner on west line of 75 acre Tract No. 2 and east line of 100 acre Tract No. 1 above described;

THENCE, S 30° W 153 vrs. with a fence line to a fence corner on south line of said 100 acre Tract No. 1;

THENCE, N 60° W 106.3 vrs. with south fence line of said 100 acre Tract No. 1 to the southwest corner of this 45 acre tract, a stake;

THENCE, N 30° E 510.1 vrs. for west line of this tract to a stake for northwest corner of this tract;

THENCE, S 60° E 665.8 vrs. to west right-of-way fence of Manor-Webberville Road for northeast corner of this tract;

THENCE, S 30° W 357.1 vrs. with west right-of-way fence of Manor-Webberville Road to place of BEGINNING; this said parcel No. 2 contains 45 acres of land lying partly in Tract No. 1 above described and partly in Tract No. 2 above described, as surveyed by Arnold C. Kellersberger, on the 19th day of February, 1950, and being the same property conveyed to William Waller Livar and wife, Selette Livar, by Warranty Deed dated July 31, 1952, and recorded in Volume 1279, Pages 221-223, and containing 122 acres of land, more or less.

(T. M. Salyer, et ux - Decker Creek Area)

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

After explanation by the City Attorney, Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found and does hereby

find that the public necessity requires the acquisition and maintenance of a large recreational reserve to permit the creation of parks, playfields, camp grounds, golf courses, piers, wharves, together with the construction of a large water reservoir, and also to permit an addition to the electric light and generating system of the City of Austin, and the construction of certain roads and public ways; and,

WHEREAS, the City Council has found and determined that the public necessity requires the acquisition of the fee simple to the hereinafter described tract of land for such purposes; and,

WHEREAS, the City of Austin has negotiated with the owner of such land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner, and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

SEE EXHIBIT "A" ATTACHED

EXHIBIT "A"

Two (2) tracts of land, each containing 50 acres of land, more or less, in Travis County, Texas and being a part of the Phillip McElroy, Jr. League, and being the same premises conveyed to the State National Bank of Austin, Texas, by C. E. Johnson et al by deed of date August 29, 1925, recorded in Book 378, pages 335-337 of the Deed Records of Travis County, Texas, to which reference is here made for a particular description of said two tracts of land, which said property was conveyed, with other property, to the Republic Bank and Trust Company of Austin, Texas, by James E. McKinney, Receiver, by deed dated May 5, 1927, recorded in Book 404, pages 408-409, of the Deed Records of Travis County, Texas, to which reference is here made for all purposes; and being the same property bought by Aug. J. Cherico from E. C. Brand, Banking Commissioner, on May 18, 1935, as per Warranty Deed recorded in Book 523, pages 34 and 35 of the Deed Records of Travis County, Texas, to all of which reference is here made for all purposes,

SAVE AND EXCEPT, HOWEVER, that portion conveyed to Travis County, Texas, by right-of-way deed dated January 16, 1962, Deed Records of Travis County, Texas.

(T. M. Salyer - Decker Creek Area)

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen LaRue, Long, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

After explanation by the City Attorney, Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found and does hereby find that the public necessity requires the acquisition and maintenance of a large recreational reserve to permit the creation of parks, playfields, camp grounds, golf courses, piers, wharves, together with the construction of a large water reservoir, and also to permit an addition to the electric light and generating system of the City of Austin, and the construction of certain roads and public ways; and,

WHEREAS, the City Council has found and determined that the public necessity requires the acquisition of the fee simple to the hereinafter described tract of land for such purposes; and,

WHEREAS, the City of Austin has negotiated with the owner of such land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner, and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

SEE EXHIBIT "A" ATTACHED

EXHIBIT "A"

304.25 acres of land, a portion of the Philip McElroy League Survey No. 18 in Travis County, Texas, and being composed of the following tracts: A portion of a 100.00 acre tract, a portion of the Philip McElroy League Survey No. 18 in Travis County, Texas, as described in a deed from Bill Cantwell to A. E. Massengale as recorded in Book 1033, Page 372 of the Travis County Deed Records, and a 114.2 acre tract designated as First Tract, a 7.8 acre tract designated as Second Tract, a 1.30 acre tract designated as Third Tract, a 58.0 acre tract designated as Fourth Tract, a 25.0 acre tract, more or less, designated as Fifth Tract, in the Philip McElroy League Survey No. 18 in Travis County, Texas, as described in a deed from W. H. Sproull, et ux to A. E. Massengale as recorded in Book 789, Page 427, Travis County, Deed Records as surveyed for A. E. Massengale by the Metcalfe Engineering Company.

BEGINNING at an iron stake near corner of fence, for the northeast corner of 1.3 acre tract, designated as Third Tract, being a portion of the Philip McElroy League Survey No. 18 in Travis County, Texas, as described in a deed from W. H. Sproull, et ux to A. E. Massengale as recorded in Book 789, Page 427 of the Travis County Deed Records, said iron stake being in the west line of a 114.2 acre tract, a portion of the Philip McElroy League Survey No. 18 in Travis County, Texas, designated as First Tract in a deed from the said W. H. Sproull, et ux to A. E. Massengale as recorded in Book 789, pages 427-431,

Travis County Deed Records, said iron stake being 25.0 feet (9varas) N 30° 58' E from the southeast corner of Lot No. 12, the northeast corner of Lot No. 11 of the Groos and Schmidt Subdivision of Lot No. 4, set apart to Charles McElroy in the original partition of the Philip McElroy League Survey No. 18 as shown by a map or plat as recorded in Plat Book 1, Page 6, Travis County Plat Records, said original partition being recorded in Book "V", Pages 188-89, Travis County Deed Records, said beginning iron stake being 9.0 varas N 30° 58' E from the northwest corner of Lot No. 11 and the southwest corner of Lot No. 12 of the Groos and Schmidt Subdivision of Lot No. 3, set apart to Francella McElroy in the original partition of the Philip McElroy League Survey No. 18 as shown by a map or plat as recorded in Plat Book 1, page 15, Travis County Plat Records, said beginning iron stake being also in the east line of a 141.0 acre tract, being Lots 12-13-14 of the said Groos and Schmidt Subdivision as shown on a map or plat as recorded in Plat Book 1, Page 6, Travis County Plat Records;

(1) THENCE, with the north line of the said 1.3 acre tract as fenced, N 60° 12' W at about 1352.78 feet crossing the west line of said Lot No. 12 and the east line of a 500 acre tract designated as Lot No. 5, set apart to George W. Powell in the said original partition of the Philip McElroy League Survey No. 18 and being also the east line of a 78.25 acre tract, a portion of the said 500 acre tract designated as Lot No. 5, as described in a deed from George W. Powell to F. O. Munson as recorded in Book 52, page 464, Travis County Deed Records, in all 2229.32 feet to an iron stake at the intersection of the east line of Decker Lane as fenced and used upon the ground;

(2) THENCE, with the east line of Decker Lane as fenced, S 30° 54' W at 25.0 feet (9 varas) crossing the south line of the F. O. Munson 78.25 acre tract, and the north line of a 100 acre tract, a portion of the George W. Powell Lot No. 5 of 500 acres, being also a portion of Lots 10 and 11 of the Groos and Schmidt Subdivision of the Charles McElroy Lot No. 4 of the original partition as shown on a map or plat as recorded in Plat Book 1, page 6, Travis County Plat Records as described in deed from Bill Cantwell to A. E. Massengale as recorded in Book 1033, page 272 Travis County Deed Records, in all 2218.77 feet to an iron stake at the intersection of the south line of the said 100.0 acre tract;

(3) THENCE, with the south line of the said 100.0 acre tract as fenced, S 58° 33' E at 860.0 feet, more or less, crossing the east line of the said George W. Powell 500 acre tract designated as Lot No. 5 of the original partition of the Philip McElroy League Survey No. 18, and the west line of Lot No. 10 of the Groos and Schmidt Subdivision of Charles McElroy Lot No. 4 of the original partition as shown on a map or plat as recorded in Plat Book 1, Page 6, Travis County Plat Records, and being also the east line of a 139.5 acre tract as described in a deed from George W. Powell to John Lundell as recorded in Book 52, page 465, Travis County Deed Records, in all 1643.62 feet to an iron stake at the southeast corner of the said 100 acre tract and in the west line of a 25.0 acre tract, more or less, a portion of Lots 10 and 11 of the Groos and Schmidt Subdivision of the said Lot No. 4 of the original partition of the Philip McElroy League Survey No. 18 designated as Fifth Tract in a deed from W. H. Sproull to A. E. Massengale as recorded in Book 789, page 427, Travis County Deed Records;

(4) THENCE, with the west line of the said 25.0 acre tract, more or less, as fenced, S 31° 20' W 693.94 feet to an iron stake in the north line of a County Road;

(5) THENCE, with the north line of said County Road as fenced, S 58°

09' E at about 593.53 feet crossing the east line of the said 25.0 acre tract and the west line of a 58.0 acre tract, a portion of a 60.0 acre tract, in the Philip McElroy League Survey No. 18 designated as Fourth Tract in a deed from W. H. Sproull to A. E. Massengale as recorded in Book 789, Page 427, Travis County Deed Records, and the east line of said Lot No. 10 of the Groos and Schmidt Subdivision as shown on a map or plat as recorded in Flat Book 1, Page 15, Travis County Deed Records, and the west line of Lot No. 10 of the Groos and Schmidt Subdivision of Lot No. 3 set apart to Francella McElroy in the said original partition as shown on a map or plat as recorded in Flat Book 1, Page 15, Travis County Flat Records, and being also the west line of a 114.2 acre tract, a portion of the Philip McElroy League Survey No. 18 designated as First Tract in a deed from W. H. Sproull to A. E. Massengale as recorded in Book 789 at page 427 of the Travis County Deed Records, in all 631.85 feet to an iron stake at angle of said County Road;

(6) THENCE, with the east line of said County Road as fenced, S 29° 34' W 271.52 feet to an iron stake at angle point;

(7) THENCE, with the east line of said County Road as fenced, S 7° 11' E 42.22 feet to an iron stake at angle point;

(8) THENCE, with the north line of said County Road as fenced S 53° 37' E 101.18 feet to an iron stake at angle point;

(9) THENCE, with the north line of said County Road as fenced, S 59° 16' E at about 1210.0 feet crossing the east line of said Lot No. 10 and the west line of Lot No. 2 set apart to Henry McElroy in the said original partition of the Philip McElroy League Survey No. 18, and being also the west line of a 39.8 acre tract (40.0) acre tract, a portion of said Lot No. 2 set apart to Henry McElroy as described in a deed from A. J. Sandberg to G. W. Anderson as recorded in Book 54, page 400, Travis County Deed Records, in all 1231.94 feet to an iron stake at an angle point;

(10) THENCE, with a northeast line of said County Road as fenced, S 24° 56' E 280.51 feet to an angle point;

(11) THENCE, with the northeast line of said County Road as fenced S 35° 26' E 71.71 feet to an angle point;

(12) THENCE, with the northeast line of said County Road as fenced, S 48° 10' E 45.63 feet to an iron stake at angle point;

(13) THENCE, with the north line of said County Road as fenced, S 59° 13' E 355.37 feet to an iron stake at the intersection of the east line of the said A. E. Massengale 58.0 acre tract, and being in the west line of a 2.0 acre tract, a portion of a 60 acre tract, a portion of the Philip McElroy League as described in a deed from R. E. Stromberg to P. A. Borden as recorded in Book 86, Page 555, Travis County Deed Records;

(14) THENCE, with the east line of the A. E. Massengale 58.0 acre tract designated as Fourth Tract, and the west line of the P. A. Borden 2.0 acre tract, as fenced, N 30° 37' E 1346.36 feet to an iron stake at the northeast corner of the said 58.0 acre tract, and the northwest corner of the said P. A. Borden 2.0 acre tract, in the south line of the said A. E. Massengale 114.2 acre tract designated as First Tract, as fenced and used upon the ground;

(15) THENCE, with the north line of the said P. A. Borden 2.0 acre tract and the south line of the A. E. Massengale 114.2 acre tract designated as First Tract as fenced, S 59° 52' E 65.47 feet to an iron stake at the southeast corner of the said 114.2 acre tract and the northeast corner of the said P. A. Borden 2.0 acre tract, said iron stake being also the northeast corner of a 60.0 acre tract as described in a deed from A. J. Sandberg to John Ostberb as recorded in Book 62, Page 365, Travis County Deed Records, said iron stake being in the east line of a 39.8 (40.0) acre tract as described in a deed from A. J. Sandberg to G. W. Anderson as recorded in Book 54, page 400, Travis County Deed Records;

(16) THENCE, with the east line of the said A. E. Massengale 114.2 acre tract, being also the east line of the said 39.8 acre (40.0) tract as fenced N 30° 34' E 927.63 feet to an iron stake at a corner of the said 114.2 acre tract, and being also the northeast corner of the said 39.8 (40.0) acre tract, and being also the southeast corner of a 7.8 acre tract designated as Second Tract in a deed from W. H. Sproull to A. E. Massengale as recorded in Book 789, page 427, Travis County Deed Records, said iron stake being also in the south line of a 100.0 acre tract, a portion of Lot No. 2 set apart to Henry McElroy in the said original partition as described in a deed from August Anderson to Theo Westbrook as recorded in Book 97, Travis County Deed Records;

(17) THENCE, with the said line of the said 7.8 acre tract as fenced N 27° 37' E 312.83 feet to an iron stake at corner of fence, for the northeast corner of the said 7.8 acre tract;

(18) THENCE, with the northeast line of the said 7.8 acre tract as fenced N 37° 49' W 771.55 feet to an iron stake;

(19) THENCE, with the northeast line of the said 7.8 acre tract as fenced N 7° 04' E 51.24 feet to an iron stake in the east line of the said A.E. Massengale 114.2 acre tract designated as First Tract, and being also in the east line of Lot No. 11 of the Groos and Schmidt Subdivision of Lot No. 3 set apart to Francella McElroy in the original partition as recorded in Plat Book 1, Page 15, Travis County Deed Records, and being also in the west line of Lot No. 2 set apart to Henry McElroy in the said original partition;

(20) THENCE, with the east line of the said A. E. Massengale 114.2 acre tract designated as First Tract, being also the west line of the said 100 acre tract, being also the east line of Lots 11 and 12 as shown on a map or plat as recorded in Plat Book 1, page 15, Travis County Plat Records, and the west line of Lot No. 2 set apart to Henry McElroy in the original partition as fenced, N 30° 19' E 1496.58 feet to an iron stake at the northeast corner of the said A. E. Massengale 114.2 acre tract designated as First Tract, being also the southeast corner of a 20.0 acre tract, a portion of the Phillip McElroy League Survey No. 18 as described in a deed from A. J. Sandberg to F. O. Munson as recorded in Book 62, page 369, Travis County Deed Records;

(21) THENCE, with the north line of the said A. E. Massengale 114.2 acre tract designated as First Tract, and being also the south line of F. O. Munson 20.0 acre tract N 59° 53' W 1384.27 feet to an iron stake at the northwest corner of the said 114.2 acre tract, being also the southwest corner of the said 20.0 acre tract, in the west line of said Lot No. 12 as shown on a map or plat as recorded in Plat Book 1, page 15, Travis County Plat Records and the

east line of said Lot No. 12 as shown on a map or plat as recorded in Flat Book 1, page 6, Travis County Plat Records;

(22) THENCE, with the west line of the A. E. Massengale 114.2 acre tract designated as First Tract, and being also the west line of Lot 12 as shown on a map or plat as recorded in Flat Book 1, page 15, Travis County Plat Records, and being also the east line of Lot No. 12 as shown on a map or plat as recorded in Flat Book 1, page 6, Travis County Plat Records as fenced, S 30° 58' W 905.36 feet to the place of beginning, containing 304.25 acres of land;

SAVE AND EXCEPT, the following tract of land heretofore conveyed to Meadowlake Ranchettes, a corporation, by deed dated April 13, 1962, and recorded in Volume 2457, page 122, Travis County Deed Records, described as follows, to-wit:

All of that certain tract or parcel of land being a portion of a 304.25 acre tract of land as recorded in Volume 2267, page 87 of the Deed Records of Travis County, Texas, and also being out of the Philip McElroy Survey No. 18, and being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake found in the east right-of-way line of Decker Lane at the most westerly corner of the aforesaid 304.25 acre tract for the most westerly corner hereof;

THENCE, with the east line of Decker Lane as found fence March 29, 1962 N 30° 54' E for a distance of 340.02 feet to an iron stake set for the most northerly corner hereof;

THENCE, S 58° 33' E for a distance of 2,416.68 feet to an iron stake set for an angle point;

THENCE, S 51° 09' E for a distance of 652.19 feet to an iron stake set for the most northerly corner hereof;

THENCE, S 51° 18' W for a distance of 146.05 feet to an iron stake set for an angle point;

THENCE, S 32° 05' W for a distance of 60.37 feet to an iron stake set for an angle point;

THENCE, S 22° 28' W for a distance of 790.34 feet to an iron stake set for an angle point;

THENCE, S 31° 38' W for a distance of 280.66 feet to an iron stake set in the north right-of-way line of a county road as found fenced March 29, 1962 for the most southeasterly corner hereof;

THENCE, with the north and east right-of-way lines of the said county road, N 59° 16' W a distance of 719.78 feet to an iron stake; N 53° 37' W for a distance of 101.18 feet to an iron stake; N 7° 11' W for a distance of 42.22 feet to an iron stake; N 29° 43' E for a distance of 271.52 feet to an iron stake; N 58° 09' W for a distance of 631.85 feet to an iron stake;

THENCE, leaving the north right-of-way line of the said county road, along a southwest line of the said 304.25 acre tract as found fenced March 29,

by metes and bounds as follows:

BEGINNING at the northeast corner of said Lot 2, Block 8, same being the northwest corner of Lot 1, Block 8, in said Pleasant Hill Addition, same also being the northeast corner of the herein described tract of land;

THENCE, with the east line of said Lot 2, Block 8, same being the west line of said Lot 1, Block 8, S 33° 53' W 15.00 feet to the most southerly corner of the herein described tract of land;

THENCE, with the west line of the herein described tract of land, N 32° 56' W 32.55 feet to a point in the north line of said Lot 2, Block 8, same being the most westerly corner of the herein described tract of land;

THENCE, with said north line of said Lot 2, Block 8, same being the north line of the herein described tract of land, S 60° 18' E 30.00 feet to the point of beginning.

(Robert Lea Matthews, et ux)

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires an open ditch drainageway consisting of 3,675 square feet of land out of and part of Lots 8 and 9, Block 8, Pleasant Hill Addition, a subdivision of a portion of the William Cannon League in the City of Austin, Travis County, Texas, belonging to Hubert Winfrey Reed and wife, Shirley Reed, in order to provide for the safe and proper drainage of the public streets in the area located within the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of a drainageway easement consisting of a 40 foot easement across the hereinafter described tract of land to provide for the drainage of public streets and roadways; and,

WHEREAS, the City of Austin has negotiated with the owners of said tract of land and has been unable to agree with such owners as to the fair cash market value of said 40 foot easement across such land; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owners, a suit in eminent domain to acquire the hereinafter described easement for drainage purposes across the hereinafter described tract of land, to-wit:

SEE EXHIBIT "A" ATTACHED

EXHIBIT "A"

3,675 square feet of land, same being out of and a part of Lots 8 and 9, Block 8, Pleasant Hill Addition, a subdivision of a portion of the William Cannon League in the City of Austin, Travis County, Texas, according to a map or plat of said Pleasant Hill Addition of record in Book 4, at Page 7 of the Plat Records of Travis County, Texas, which Lots 8 and 9, Block 8, were conveyed to Hubert Winfrey Reed, et ux, by Warranty Deed dated July 18, 1960 of record in Volume 2211 at Page 41 of the Deed Records of Travis County, Texas; said 3,675 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at a point in the west line of Lot 9, same being the east line of Lot 10, block 8, in said Pleasant Hill Addition, same also being the northwest corner of the herein described tract of land, and from which point of beginning the northwest corner of said Lot 9, bears N 33° 53' E 21.39 feet;

THENCE, with the north line of the herein described tract of land, S 89° 53' E 45.07 feet to a point in the north line of said Lot 9, same being the most northerly corner of the herein described tract of land;

THENCE, continuing with the north line of the herein described tract of land, same being the north line of said Lot 9, S 61° 44' E 12.55 feet to the northeast corner of said Lot 9, same being the northwest corner of the aforesaid Lot 8;

THENCE, continuing with the north line of the herein described tract of land, same being the north line of said Lot 8, S 60° 18' E 50.13 feet to the northeast corner of said Lot 8, for the most easterly corner of the herein described tract of land;

THENCE, with the east line of said Lot 8, S 33° 53' W 13.69 feet to the southeast corner of the herein described tract of land;

THENCE, with the south line of the herein described tract of land with the following two (2) courses:

(1) N 75° 15' W 8.22 feet to a point;

(2) N 89° 53' W 110.95 feet to a point in the west line of the aforesaid Lot 9, for the southwest corner of the herein described tract of land;

THENCE, with the west line of said Lot 9, N 33° 53' E 48.12 feet to the point of beginning.

(Hubert Winfrey Reed, et ux)

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

The City Attorney reported the opportunity to acquire 9.26 acres west of Balcones Trail needed for the Missouri Pacific Boulevard and for a substation for a 69 KV line which is already in place. Councilman White moved that the City Manager be authorized to acquire this tract at the price stated. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilman LaRue, White, Mayor Palmer
Noes: Councilman Long
Absent: Councilman Shanks

MAYOR PALMER had a letter from MR. FRANK HEDRICK from San Saba, Texas, stating he ran a nursery on Highway 190, ten miles east of San Saba and had six large budded pecan trees and several small ones he would give to the City of Austin if desired. He had always had a good business from Austin. He asked if the City would be interested. The City Manager reported a copy of this letter had been sent to the Director of Recreation. Mayor Palmer asked that the City Manager and Recreation Director look into this and thank Mr. Hedrick for his offer.

MAYOR PALMER called attention to the letter from Mr. Vic Ehlers, Jr., Community Council, regarding endorsement of the Council on the OEO proposals submitted this week for its review, and his request to appear before the Council on Thursday, April 28th. The City Manager stated they were doing research on this, and assumed the continuing of the programs in effect with the same obligations to the city, as to the operating budget for next year.

MAYOR PALMER had a notice from the Twelfth National Arts Council being held at the Waldorf Astoria, asking that the notice be forwarded to the appropriate organizations pertaining to the arts, and inviting representatives to attend the conference. It was suggested that this be sent to LaGuna Gloria, the Ballet Group, Civic Theater, Symphony Orchestra and Recreation Department as Coordinating Agency. The Council of Arts asked that they be notified to whom the notice was sent.

MAYOR PALMER read a letter from the Executive Director of Urban Renewal Agency, MR. L. WAYNE GOLDEN, that due to illness of their accountant, their Annual Report as of March 31, 1966 had not been submitted but would be as soon as the accountant is able to go back to work.

MAYOR PALMER read a communication that MR. DON McIVER, Community Relations Officer, OEO, had invited the Council, City Manager, and Assistant City Manager to have lunch at Camp Gary Wednesday, April 27, 1966, meeting at the Auditorium at 10:30 A.M., and returning to Austin at 3:30 P.M. The Mayor stated the Council would accept, and asked that MRS. McCONNELL notify the members.

MAYOR PALMER read a letter concerning a ribbon cutting ceremony in connection with the opening of ED BLUESTEIN BOULEVARD. It is anticipated the boulevard will be completed by May 20th, and the ceremony could be scheduled any time with a week before or after this date at the Council's convenience along with other officials involved. The portion from U. S. Highway 290 to F.M. 969 (East 19th Street) will be completed about May 1st, but the portion from F.M. 969 to the Montopolis Interchange will not be completed until about

May 20th. The Mayor said there should be a ceremony, and asked that Mr. Tom Wood be notified that it is the Council's wishes to have a ceremony, and it would be in touch with him. Councilman Long suggested that the highway engineers figure out the most appropriate time for a ceremony, and just so long as the time does not fall on Thursday, the Council would be happy to arrange the ceremony with them. MR. JIM WILSON, Assistant City Manager, was asked to coordinate all plans and work with the Chamber of Commerce and Highway Department in making arrangements.

The Mayor read a reminder to the Council of the picnic at Farrow Farm Friday, April 22nd, 6:00 P.M. on invitation of Mr. and Mrs. Fagan Dickson.

The Mayor read a letter from the Rollingwood City Council asking for surplus fire fighting equipment. The letter noted since Austin was procuring more new equipment, some surplus equipment might be available. They were interested in one of the old engine pumpers, a 1946 model engine no. 7, and asked the City Council to give them the first priority to buy such engine. The Mayor asked if it would be agreeable to request the City Manager to look in and see whether or not there was surplus equipment, and notify them. The Council informally agreed. The City Manager pointed out fire fighting equipment gets very little mileage, and a police vehicle gets more mileage in a week than a fire engine does in 20 years.

MAYOR PALMER read a letter from Francisco Michelazzo, Franbooks Editora Limitada, Sao Paulo, Brazil, in regard to preparing an encyclopedia for young people. In order to insure amplitude, originality, authenticity, and modernity of the encyclopedia they would like to count on the city's collaboration in presenting slides of good quality, booklets, statistics, etc., about Austin. The Mayor asked that the City Manager refer this to the Librarian, Miss Mary Rice to supply what information she can, and also to ask the Chamber of Commerce to do what it can.

The Mayor read a letter from the Polish Courier Publishing Company, stating that 1966 was the Polish Millennium of Christianity, and that the city had a considerable amount of residents of Polish descent. The newspaper considered issuance of a proclamation honoring this great milestone in world history of a great nation. The Mayor stated normally a local sponsoring organization would ask for the proclamation. The Mayor stated he would find out if there is any kind of organized local association.

MAYOR PALMER read a letter from the ham radio operators offering their assistance and help in any kind of emergency. The City Manager stated their services are being offered not only for Civil Defense particularly but for any public performance--parade control, etc. They worked in the Aqua Festival. The City Clerk was asked to write them a letter expressing appreciation for what they had done in the past and for offering their services again.

MAYOR PALMER read a letter concerning a suit filed as the low flying planes over the area had decreased the market value of the property. The letter pointed out a location in the area, which was a disgrace to the neighborhood and included a request that the Health Inspector have this yard cleaned, as this is

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what is ruining the sale value of the property. No one wanted to buy property in this area on account of that condition--not because of the planes. The letter was referred to the City Attorney.

The Mayor read a communication from the Office of Economic Opportunity signed by MR. WILLIAM H. CROOK, Regional Director, announcing on May 1st, they were assuming responsibility for the transportation of Job Corps enrollees throughout their five state region, and this operation would be a 24 hour per day, 7 day per week project, requiring frequent movement of personnel in large numbers between the Lowich Building, Camp Gary and local transportation centers. Use of off-street parking for their vehicles would require the enrollees to cross either 11th Street or Guadalupe Street to reach their office, and this would be time consuming and somewhat hazardous. To make the operation safe and efficient, they asked that three parking spaces be reserved for their use on Guadalupe Street as indicated on a sketch. This space would be used primarily by government owned vehicles, but on occasions it would also be used for commercial busses and private vehicles operated officially for Camp Gary. Council members indicated they would like more information on the use--whether it would be used for passenger cars or busses on regular schedule, etc. As to providing bus stops, the City Manager stated the Council had established bus stops for scheduled bus lines; and anyone parking in a bus stop would get a ticket. The Mayor stated he would get more information.

There being no further business Councilman LaRue moved that the Council adjourn. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

The Council adjourned at 3:50 P.M. subject to the call of the Mayor.

APPROVED

Lucian E. Palmer

Mayor

ATTEST:

Edna Hoyle

City Clerk